

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

HERMAN M. JERROD,

Plaintiff,

V.

ZACHARY PHILLIPS, et al.,

Defendants.

Case No. 4:19-cv-03131-AGF


MEMORANDUM AND ORDER

This matter is before the Court on self-represented Plaintiff's motion to amend complaint. (ECF No. 46). The motion is handwritten on one sheet of notebook paper and appears to reference a meeting he had with a non-defendant. Plaintiff does not include a statement of how he would like to amend his complaint, or how the meeting he describes relates to his claims in the instant action.

The period for leave to amend as a matter of course has expired; no defendant has consented to a proposed amendment; and the Court finds no basis to grant leave to amend. Fed. R. Civ. P. 15(a). Additionally, Plaintiff’s motion to amend is deficient as he has failed to attach a proposed amended complaint. *See Clayton v. White Hall Sch. Dist.*, 778 F.2d 457, 460 (8th Cir. 1985) (“[I]n order to preserve the right to amend the complaint, a party must submit the proposed amendment along with its motion.”); *see also Minneapolis Firefighters’ Relief Ass’n v. MEMC Electronic Materials, Inc.*, 641 F.3d 1023, 1030 (8th Cir. 2011) (stating a sufficient motion for leave to amend seeks leave to amend and attaches a copy of the proposed amended complaint).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Amend Complaint is
DENIED. (ECF No. 46).



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of August, 2021.